

AMENDED IN ASSEMBLY MARCH 25, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1506

Introduced by Assembly Member Negrete McLeod

February 21, 2003

An act to ~~amend Section 1724 of~~ *add Section 1771.9 to* the Labor Code, relating to public works.

LEGISLATIVE COUNSEL'S DIGEST

AB 1506, as amended, Negrete McLeod. Public works: ~~locality~~ *projects funded by bonds: prevailing wages.*

Existing law, with certain exceptions, requires payment to all workers employed on a public works project of not less than the prevailing wage for work of a similar character in the locality in which a public works project is performed. Existing law provides that the body awarding any contract for public works projects falling below certain cost thresholds may alternatively elect to initiate and enforce a prescribed labor compliance program relative to payment of prevailing wages and related matters.

The Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, if approved by the voters at the November 2, 2004, statewide general election, would authorize, for the purposes of financing the planning and construction of a high-speed train system and associated rail improvements, the issuance of bonds in the amount of \$9,950,000,000.

This bill would require the body awarding any contract for a public works project financed with funds made available by the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, if that bond

measure is approved by the voters, to adopt and enforce that above-mentioned labor compliance program for application to the public works project.

~~Existing law generally defines “public works” to include construction, alteration, demolition, or repair work done under contract and paid for in whole or in part out of public funds.~~

~~Existing law defines “locality in which public work is performed” as meaning the county in which the public work is done in cases where the state awards the contract, and meaning the limits of the political subdivision on whose behalf the contract is awarded in other cases.~~

~~This bill would eliminate this distinction in the definition of “locality in which public work is performed” and instead define the term in all cases as meaning the county in which the public work is done.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1.—Section 1724 of the Labor Code is amended to~~
 2 *SECTION 1. (a) The Legislature finds and declares all of the*
 3 *following:*
 4 *(1) Payment of the prevailing rate of per diem wages to workers*
 5 *employed on public works projects is necessary to attract the most*
 6 *skilled workers for those projects and to ensure that work of the*
 7 *highest quality is performed on those projects.*
 8 *(2) Public works projects should never undermine the wage*
 9 *base in a community, and requiring that workers on public works*
 10 *projects are paid the prevailing rate of per diem wages ensures that*
 11 *wage base is not lowered.*
 12 *(3) It is a matter of statewide concern that every public agency*
 13 *in California pay the prevailing rate of per diem wages to workers*
 14 *employed on public works projects undertaken by those public*
 15 *agencies.*
 16 *(b) Therefore, it is the intent of the Legislature, in enacting*
 17 *Section 2 of this act, that every public agency in California pay the*
 18 *prevailing rate of per diem wages to workers employed on public*
 19 *works projects undertaken by that public agency.*
 20 *SEC. 2. Section 1771.9 is added to the Labor Code, to read:*
 21 *1771.9. (a) The body awarding any contract for a public*
 22 *works project financed in any part with funds made available by*

1 *the Safe, Reliable High-Speed Passenger Train Bond Act for the*
2 *21st Century (Chapter 20 (commencing with Section 2704) of*
3 *Division 3 of the Streets and Highways Code) shall adopt and*
4 *enforce, or contract with a third party to adopt and enforce, a labor*
5 *compliance program pursuant to subdivision (b) of Section 1771.5*
6 *for application to that public works project.*

7 *(b) This section shall become operative only if the Safe,*
8 *Reliable High-Speed Passenger Train Bond Act for the 21st*
9 *Century (Chapter 20 (commencing with Section 2704) of Division*
10 *3 of the Streets and Highways Code) is approved by the voters at*
11 *the November 2, 2004, statewide general election.*

12 ~~read:~~

13 ~~1724. "Locality in which public work is performed" means~~
14 ~~the county in which the public work is done.~~

